

REMARKS

Claims 1-3, 5, 8-13, 17-22, 24-25, and 28-34 are now pending in the application. New claims 31-34 are added by this amendment. This response cancels claims 4 and 14 without disclaiming the subject matter included therein. The Examiner is respectfully requested to reconsider and withdraw the objections and rejections in view of the amendments and remarks contained herein.

The Applicant would like to thank the Examiner for the interview given on August 10, 2004. During the interview Independent claim 19 and the cited art was discussed. No agreement was reached as to the allowability of the claims.

If this response does not place the claims in condition for allowance the Applicant's representative hereby requests an interview with the Examiner prior to the mailing of an Office Action.

CLAIM OBJECTIONS UNDER 35 U.S.C. §103

Claims 1-5, 8-14, 17-19, 21-22 and 28-30 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Bateman et al. (U.S. Patent No. 5,879,404) in view of Asthana et al. (U.S. Patent Application Publication No. 2003/0175488). Claim 20 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Bateman et al. in view of Asthana et al. and Shelley and further in view of Sherman (U.S. Patent No. 4,936,855). Applicant respectfully traverses these rejections. The Examiner is requested to withdraw each of these rejections and allow all of the presently pending claims.

The Applicant requests that the Examiner reconsider that previously filed responses. The Applicant maintains that the art does not provided a teaching or suggestion to combine the art in the manner expected by the Examiner. Batemen et al. is the only cited reference teaching molding a material to another portion for an acetabulum device. The only cited reference teaching roughness is not related to a medical device and teaches forming a multi-layer coating of various materials. Also neither JP 2161943 nor Sherman teach molding components. In fact JP 2161943 appears to teach that the components do not interconnect initially, but the polymer liner may deform over time to interconnect with the grooves. Thus, the Applicant submits, the cited art does not teach or fairly suggest each of the eliminates of the presently pending claims.

Independent claims 1 and 11 recite a range of roughness for a ceramic portion of a composite acetabular component not taught by the art of record. The cited art does not teach providing a ceramic portion that includes a roughness that maintains a selected interaction with a biocompatible thermoplastic. Rather the art only teaches that an interconnection can occur. Providing the various roughness ranges are not taught and should be given patentable weight in the present application. Thus, Independent claims 1 and 11, and each of the claims depending directly or indirectly therefrom, should be in condition for allowance.

Amended Independent claims 19 and 20 now recite a securing member. Similarly, Independent claim 21 recites interconnecting the composite acetabular component with an acetabulum implant with an interconnecting member. As discussed with the Examiner the cited art does not teach a securing member to interconnect an

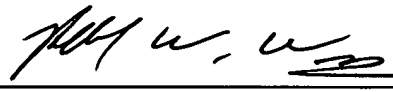
acetabulum member and a composite acetabular component. Therefore, each of Independent claims 19, 20, and 21, and each of the claims depending directly or indirectly therefrom, should be in condition for allowance.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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By: 
Richard W. Warner
Reg. No. 38,043

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

RWW/MLT/lkj